

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sam E. Kinney Jr., et al.

Application No.: 09/490,867

Filed: January 24, 2000

For: Method And Apparatus For Correcting
Failures With Participant Isolation In
A Dutch Auction

Examiner: Bashore, Alain L.

Art Unit: 3624

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450INFORMATION DISCLOSURE STATEMENT

Sir:

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Michelle Begay

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Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

_____ 37 C.F.R. §1.97(b).

 X 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

_____ A statement pursuant to 37 C.F.R. §1.97(e) or

 X A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

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If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

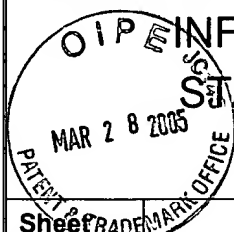
Dated: March 28, 2005



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Substitute for Form 1449/PTO



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1

1

of

4

Complete if Known

Application Number	09/490,867
Filing Date	01/24/2000
First Named Inventor:	Sam E. Kinney JR
Art Unit	3624
Examiner Name	Bashore, Alain L.
Attorney Docket Number	03660.P026

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If known)				
		US-	3,863,060	1/28/1975	Rode et al.	
		US-	4,597,045	6/24/1986	Kiuchi	
		US-	4,799,156	1/17/1989	Shavit et al.	
		US-	5,629,982	5/13/1997	Micali	
		US-	5,640,569	6/17/1997	Miller et al.	
		US-	5,799,285	8/25/1998	Klingman	
		US-	5,803,500	9/8/1998	Mossberg	
		US-	5,809,483	9/15/1998	Broka et al.	
		US-	5,826,244	10/20/1998	Huberman	
		US-	5,832,496	11/3/1998	Anand	
		US-	5,862,223	1/19/1999	Walker et al.	
		US-	5,897,621	4/27/1999	Boesch et al.	
		US-	5,905,974	5/18/1999	Fraser et al.	
		US-	5,905,975	5/18/1999	Ausubel	
		US-	5,915,209	6/22/1999	Lawrence	
		US-	5,966,699	10/12/1999	Zandi	
		US-	6,014,627	1/11/2000	Togher et al.	
		US-	6,016,344	1/18/2000	Katz	
		US-	6,021,398	2/1/2000	Ausubel	
		US-	6,023,685	2/8/2000	Brett et al.	
		US-	6,044,363	3/28/2000	Mori et al.	
		US-	6,055,518	4/25/2000	Franklin et al.	
		US-	6,058,379	5/2/2000	Odom et al.	
		US-	6,061,663	5/9/2000	Bloom et al.	
		US-	6,119,229	9/12/2000	Martinez et al.	
		US-	6,199,050 B1	3/6/2001	Alaia et al.	
		US-	6,243,691 B1	6/5/2001	Fisher et al.	
		US-	6,266,652 B1	7/24/2001	Godin et al.	
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Examiner
Signature

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Substitute for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/490,867
				Filing Date	01/24/2000
				First Named Inventor:	Sam E. Kinney JR
				Art Unit	3624
				Examiner Name	Bashore, Alain L.
Sheet	3	of	4	Attorney Docket Number	03660.P026
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ²
		ANTON, J., et al, "Split Awards, Procurement, and Innovation," RAND Journal of Economics, Vol. 20, No. 4, Winter 1989, pages 538-552.			
		AUCTION, PROCEDURES, TERMS AND CONDITIONS, Tab B, retrieved from http://wireless.fcc.gov/auctions/18/releases/220_b.pdf#search='AUCTION,%20PROCEDURES,%20TERMS%20AND%20CONDITIONS%20 , December 1997, pages 91-112			
		Boston Globe, "Venture Capitalists Fund Two Massachusetts Internet Related Companies," January 14, 1998, 2 pages.			
		Business Editors and Computer Writers, "Moai Technologies: Moai Technologies Introduces New Category of Business-to-Business Auction Software That Enables "Virtual Private Marketplaces," March 16, 1998, 2 pages.			
		Business Wire, "Broadvision Developing First Interactive Commerce Management System to Support Online Sales & Marketing Process; New Software Category Necessary to Interactive Network Architecture," May 15, 1995, 2 pages.			
		Business Wire, "FairMarket Launches New Self-Serve Auctions," June 16, 1998, 1 page.			
		Computer Finance, "Sold!... To the Lowest Bidder," Vol. 6, No. 2, July 1995, 8 pages.			
		Electronic Buyers' News, "Online Bidding Software Updated," Issue No. 1072, August 25, 1997, 1 page			
		KIKUCHI, et al., "Multi-Round Anonymous Auction Protocols," TIEICE: IEICE Transactions on Communications /Electronics/Information and Systems, Proceedings of IEEE Workshop on Dependable and Real-Time E-Commerce Systems (DARE'98), June 1998, 8 pages.			
		LEE, Ho Geun, "Do electronic marketplaces lower the price of goods?" Communications of the ACM, Vol. 41, No. 1, January 1998, 10 pages.			

Examiner Signature	Date Considered
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				Attorney Docket Number	03660.P026
Sheet	4	of	4		
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ²
		RECK, M., "Types of Electronic Auctions," Hochschule St. Gallen, 1994, pages 236-243.			
		SAIRAMESH, J., et al., "Economic Framework for Pricing and Charging in Digital Libraries," D-Lib Magazine, February 1996, 11 pages.			
		SIMMONS, P., et al., "Procurement Auctions with Multiple Sourcing," University of York Discussion Papers in Economics, No. 95/11, 1995, pages 1-29.			
		VIGOROSO, M., "Buyers prepare for brave new World of E-Commerce," Purchasing, Vol. 126, No. 6, April 22, 1999, 5 pages.			
		VON DET FEHR, et al., "Predatory bidding in Sequential Auctions," Oxford Economic Papers Vol. 46, No. 3, July 1994, 9 pages.			
		Washington Telecom News, "What you need to know to bid in FCC's Narrowband Auction," Vol. 2, No. 26, June 27, 1994, 2 pages.			
		WRIGLEY, C., "Design Criteria for Electronic Market Servers," Electronic Markets, Vol. 7, No. 4, 1997, pages 12-16.			
		WURMAN, P., et al., "The Michigan Internet AuctionBot: A Configurable Auction Server for Human and Software Agents," Artificial Intelligence Laboratory, University of Michigan, May 13, 1998, 8 pages.			

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